

To Members of the California State Assembly:

I am returning Assembly Bill 968 without my signature.

This bill creates a presumption that any adverse reaction, injury, disability, or death incurred by an employee as a result of a vaccination or medication administered to prevent the transmission of, infection by, or exposure to, a biochemical substance or blood-borne infectious disease has arisen out of and in the course of employment for the purposes of workers' compensation benefits. Current law permits employees to file claims for these illnesses.

While I fully support the protection of health care providers, first responders, law enforcement personnel and other employees in our fight against bioterrorists, language in AB 968 allows for workers' compensation claims when adverse reactions occur as a result of vaccination or medication that is not administered at the request or direction of an employer. In fact, illnesses contracted as a result of vaccinations required by their employers are already compensable. As we work to reform California's ailing workers' compensation system, it is critical that we ensure that those injuries compensated by employers are related to employment.

I look forward to the opportunity to work with the legislature to avoid unintended adverse impacts on both employers and employees.

Sincerely,

Arnold Schwarzenegger